

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103A.7, the Building Code Commissioner hereby gives Notice of Intended Action to amend Chapter 16, “State Building Code—Factory-Built Structures,” Iowa Administrative Code.

Iowa Code section 103A.9 establishes the authority of the Building Code Commissioner, with the approval of the Building Code Advisory Council, to establish standards for factory-built structures, which include manufactured homes and modular buildings of all types. Specific authority is provided to the Building Code Commissioner to establish an “insignia of approval” and to require that modular buildings bear the established insignia. The proposed amendments provide for code compliance certificates and for installation certificates for modular structures.

The rules in Chapter 16 have been in place for many years, and the requirements and procedures prescribed are complex. The proposed amendments simplify those requirements, based upon a review necessitated by a reduction in staff available to administer programs within the Building Code Bureau. The Commissioner expects no loss of accountability for ensuring code compliance or proper installation of modular buildings to result from these changes.

Any interested person may submit comments on these proposed amendments by 4:30 p.m. on August 3, 2010. Comments should be submitted by mail to the Agency Rules Administrator, Iowa Department of Public Safety, 215 East 7th Street, Des Moines, Iowa 50319; by fax to (515)725-6195; or by E-mail to admrule@dps.state.ia.us.

There will be a public hearing to accept comments on these proposed amendments at 10 a.m. on August 3, 2010, in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines. Persons wishing to speak at the public hearing should notify the Agency Rules Administrator by telephone at (515)725-6185 or E-mail at admrule@dps.state.ia.us.

Provisions of the State Building Code are not subject to waiver but are subject to the provisions of Iowa Code section 103A.13, providing for “alternate materials and methods of construction.”

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 8937B**. The content of that submission is incorporated by reference.

These amendments are intended to implement Iowa Code section 103A.9.